

An overview of how water moves in the area contributing to and around a well was given.

There would be no alternative water supply if there were to be problems caused by an industrial sand mine in the area. Diesel fuel and hydraulic fuel leakage from tanks are also possibilities.

The WDNR requires the Village to test the water quality from the wells on a regular basis to protect the water supply.

4. **Presentation by Roberta Walls, Environmental Assistance Coordinator, WI Department of Natural Resources:** Chairman Jeff Dorschner introduced Roberta Walls. A PowerPoint presentation was passed out to the members and to the public which outlined some non-metallic mining sand uses, the current number of industrial sand mines in the state whether active or non-active, WDNR Permitting & Compliance, Air Program, including Permits and Particulate Matter (PM) Monitoring Data, Water Programs, including High-Capacity Wells/ Groundwater, Private/Public Drinking Water, Water Regulation, Wetland Regulations and Stormwater/Wastewater and Environmental Compliance.
5. **Discussion & Possible Action on Proposed Wellhead Protection Overlay District Ordinance:** Bypassed
6. **Discussion & Possible Action on Proposed Groundwater Protection Regulations for Remainder of ETZ Boundary:** Bypassed
7. **Public Input & Questions from the Floor:** Question: On the outline in yellow (Wellhead Protection Area by Andrew Aslesen), the proposed mine is in that area; do you think drilling down to bedrock would have a negative effect on the water? Rumor was that some of the blasting would take place under water.
Andrew's Answer: If you potentially expose that rock to air, some of the metals and minerals in the rock could get flushed into the water supply.
Question: How much water does the Village use from the two wells?
Andrew's Answer: 140,000 gallons per day.
Question: Does the mine have silica dust in it?
Andrew's Answer: Yes. A member of the public shared that they had worked with silica dust and had to wear a mask and that it can be cancerous.
Question: You don't know what's under the Bartkowski land. What are you seriously looking at? Is there going to be a huge cavern under the property when they are done?
Andrew's Answer: It sounds like they are done test-boring. They might think they can do it without blasting. Without seeing their test-borings we don't know. Establishing a baseline for what your water quality is, is important.
Question: Who determined that forfeitures collected were to go to the education fund? Why is it not returned to the community where the mine is at?

Roberta's Answer: Because the state is initiating and leading the forfeitures in those situations. The agency is not to benefit from the forfeitures. If there are any violations at the county and local level there are forfeitures that can be applied and those will be returned to the county or local municipality.

Question: Regarding PM 2.5 and PM 10, do you have any statistics on the environmental impact on wildlife or trees?

Roberta's Answer: PM 2.5 is captured along with PM 10 monitoring. PM 2.5 studies have had very good quality control measures and have demonstrated that the level of PM 2.5 is far below the current air quality standard the level of PM 2.5 for that type of industry.

There has been no evidence brought forward that supports that damage has been done.

Question: What is the safe zone for the PM 10 particle since it can travel long distances?

Roberta's Answer: PM 10 is not a regional pollutant but the PM 2.5 is. PM 10 settles out rather quickly in ambient air quality conditions.

Question: What happens if a truck is hauling the sand and is traveling at a fast speed?

Roberta's Answer: Local patrols would have to monitor truck traffic. Many local patrols would require the covering of trucks to prevent the sand from blowing in the wind as it travels down the road.

Question: Is there a way to find out how the companies protect their employees and what protocols are in place for their protection?

Roberta's Answer: The Mine Safety and Health Administration oversees that.

Question: Only 10% of mines are monitored?

Roberta's Answer: Correct. We had more facilities that had been monitored earlier on and because of their data set showing low level of concentrations, they requested a variance to discontinue monitoring and they were granted that because of the low levels.

Question: Who paid for the studies?

Roberta's Answer: Some have been University driven.

Question: If the public signs a petition, will the public be able to sway the decision for issuing permits?

Roberta's Answer: When it comes to the WDNR permitting, we do have some opportunity for public comment for some of our permits depending if the permit is county level or local level.

Question: In regard to the Extraterritorial Zoning, why do you want to do that and why do you not have that already?

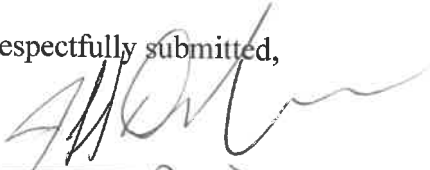
Chairman Jeff Dorschner's Answer: The whole point of the ETZ Zoning is that we have to have a combined effort with the Town of Stephenson and the Village of Crivitz and what we already passed as a committee is wellhead protection. The work we have remaining to do on that is making this wellhead protection fit our specific needs. Village Attorney Dick Boren added that Village ordinances are only enforceable in the Village and the wells are in the township so the reason for the Extraterritorial Zoning would be to have a wellhead protection overlay district in the town which would be enforceable by the Village ordinances.

Question: Is there anyone who can block a permit?

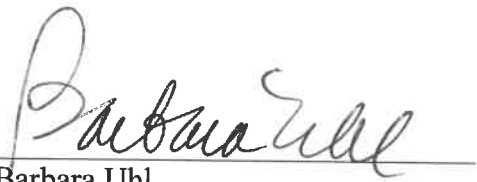
Roberta's Answer: At the department's level probably not. If they can demonstrate that they meet the state standards for each of their applications, we have no choice but to issue them.

8. **Confirm next meeting:** Thursday, August 22nd at 7:00pm at the Crivitz Village Hall.
9. **Adjourn:** Motion by Stew Swanson, seconded by Mike Kudick, to adjourn the meeting at 8:40pm. Vote: Ayes: 4. Motion carried.

Respectfully submitted,



Mike Kudick *JEFF DOZLHAYEN*
Chair



Barbara Uhl
Deputy Clerk/Treasurer, Village of Crivitz

Attachments:

Public Sign-in Sheet
Roberta Davis, WDNR - Power Point presentation

ETZ 7/22/19

Public Attendance

NAME	ADDRESS
LYNN SCHLICHTENMYER	N8000 ISLAND VIEW LN CRIVITZ
RUDI JENSEN	CRIVITZ
Dennis & Beryl	CRIVITZ
Ken & Colleen Marcussen	8021 Noguebay Rd Crivitz
Paul Freitag	Ranch Rd
Jim Stradal	TOS Board
MIKE RODE	CRIVITZ
NANCY RODE	CRIVITZ
Deb Faust	Crivitz
Donald Orlando	Crivitz
Veda Orlando	Crivitz
Bruce T.	Crivitz
Jackie Gmizak	Crivitz
Judith Gelm	Crivitz
RAY-N-ANGIE MAJEWski	CRIVITZ
Robert Kurf	Noguebay
Jack Manliet	Noguebay Crivitz
Frank Kujan	Noguebay Crivitz
Jim Bekke	W8722 Airport Rd
Frank Whalen	W6912 Noguebay Rd Crivitz
Jinger Deschane	602 Lulu Ave
Ren Hilde	W7635 Old W Rd Crivitz
Deb Manincor	N7392 St Paul Rd Crivitz
Shirley Benckhonne	W8299 Chickadee Crivitz
Lahelle Posick	PO Box 370 Crivitz
JERRY HURROZ	W7643 AIRPORT RD CRIVITZ
KURT LAELMA	N8306 LOUISARD CRIVITZ

ETZ 7/22/19

Public Attendance

NAME	ADDRESS
Elaine Olson	W9484 Co Rd X Civity
John Karkweick	W10095 ety X CRIVITZ
JAN Schnabel	W10095 ety X CRIVITZ
Susan Salefsky	W7736 South St. Civity
Cheryl Wengemiel	W8041 Boat Landing Ln Crvitz
Jane Marwin	N2669 St. Paul Rd Civity

Industrial Sand Mining Overview of WDNR Compliance Authorities

Roberta Walls
Non-Metallic Mining Coordinator
July 25th, 2019

1

Non-metallic Mining in WI

- NMM has been in WI for more than 100 years
- ~3000 NMMs in WI
- Uses for NMM sand materials
 - Animal bedding
 - Building materials
 - Cranberry operations
 - Foundry sand
 - Glass
 - Transportation needs
 - Proppants

2

Industrial Sand Mining

Total Number of Industrial Sand Facilities (Mines, Processing & Rail Loading)	128
Number of Active Facilities	92
Number of Inactive Facilities	32
Number of Facilities Reclaimed/In Process of Final Reclamation	4

3

WDNR Permitting & Compliance Authorities

- High Capacity Wells / Groundwater
- Public Drinking Water
- Exploratory borehole Abandonment
- Stormwater/Wastewater
- Water Vegetation / Water Resources
- Nonmetallic Mining Reclamation/Shoreland Zoning
- Enforcement

4

Excluded from DNR's Regulatory Authority

- Noise
- Light Pollution
- Blasting, Vibration
- Zoning, Land Use
- Road Maintenance Issues
- Employee Safety on Site
 - **Mine Safety and Health Association (MSHA)**
 - Regulatory Authority
 - Dictates Monitoring Requirements for Mine Site Workers
 - **Occupational Safety and Health Association (OSHA)**
 - Industrial Operations such as Drying Facilities

5

Staff Resources

- Air Management Program
- Water Program
 - Stormwater & Water Regulation / Zoning
- Other Staff contribute
- County Staff
 - County reclamation staff / Zoning - Land Management

6

Air Program

Air Permits

- **Construction Permit**
 - Issued to cover new or modified pieces of equipment
 - Dust Control Plans
 - Waivers
- **Operations Permit**
 - Issued to cover all significant emission units operations and activities at an entire facility

7

8

Particulate Matter: What is it?

A complex mixture of extremely small particles and liquid droplets

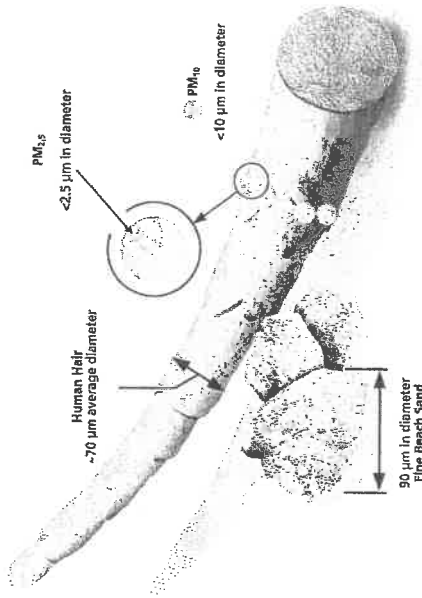
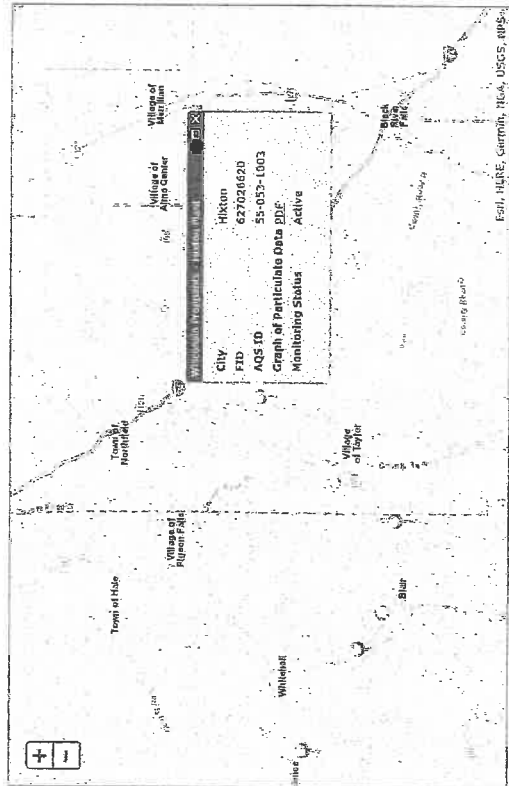


Image courtesy of EPA, Office of Research and Development

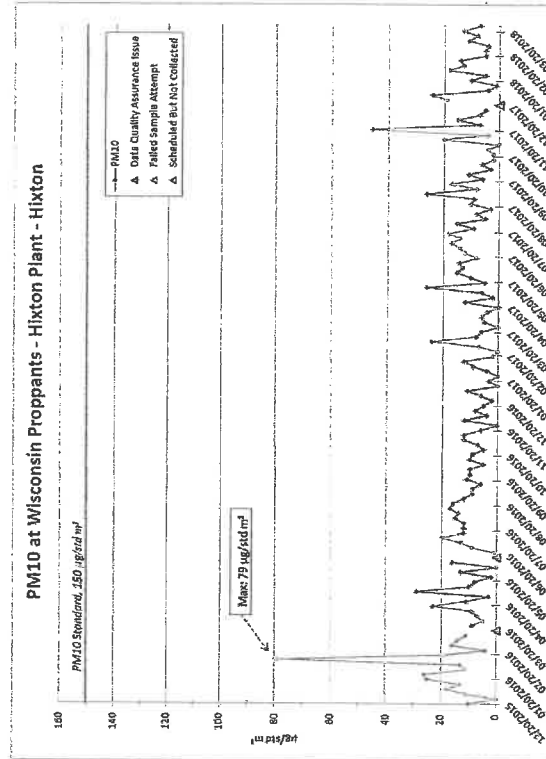
PM Monitoring Data

• Sampling Days Completed At Mining Facilities

- Total of 5,341 valid samples through 1st Quarter, 2019.
- 12 PM10 monitors at 11 facilities
- The average concentration 12.4 mg/cubic meter.
- Permit required monitoring at industrial sand mines is for PM10. Mechanical processes typically generate larger particles such as PM10.
- The highest value was 168 ug/std m3, 112% of daily PM10 NAAQS, occurred in April 2015. Farming activity near sampler may have contributed.



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PM Monitoring Data

- **PM2.5**
 - Regional pollutant that travels long distances
 - Product of combustion and secondary formation (coal, wood, gasoline)
- **Ambient Air Monitor for PM2.5**
 - Department-operated monitor located in Eau Claire
 - PM 2.5 standard has not been exceeded
- **Website:**
[//dnr.wi.gov/topic/mines/silica.html](http://dnr.wi.gov/topic/mines/silica.html)

13

Water Programs

14

High Capacity Wells / Groundwater

- **High Capacity Wells**
 - Statutory Definition: Any well on a property with a cumulative capacity to withdraw more than 100,000 gpd (70gpm)
- **Water Use**
 - Potential impacts to groundwater resources.
- **ISM specific concerns**
 - Borehole abandonment
 - Secondary impacts



15

Private / Public Drinking Water

- **Water Supply**
 - Quantity and Quality
- **On-Site Wells**
 - Public vs Private

16

Water Regulation

- **Project Identification**
 - Proximity to Navigable Waters
 - Threatened and Endangered Resources, Cultural Resources
 - General Permits and Individual Permits available
- **NR340 – NMM and Reclamation associated with waterways**
 - Bonding and Financial Assurance of ponds
- **Water Quality Standards**
 - Permits are based on how the work will ensure water quality standards.

17

Wetland Regulations

- **Project Identification**
 - Avoidance, extent of impacts, minimize
 - Threatened and Endangered Resources, Cultural Resources
 - General and Individual Permits Available
- **Wetland Mitigation**
 - Practicable Alternatives Analysis
- **Wetland Delineation**
 - Must be completed and verified during growing season
- **Discharges to Wetlands**
 - Wetlands are surface waters, water quality standards apply

18

Stormwater / Wastewater

- **General Permit**
 - Addresses stormwater and wastewater.
 - Project review for Impacts to Threatened and Endangered Species, Cultural Resources, and Water resources
- **Stormwater Pollution Prevention Plan**
 - Required
- **Monitoring**
 - Stormwater discharges
 - Wastewater discharges
 - Surface water/Groundwater
 - Chemical Additives

19

Environmental Compliance

20

Enforcement Considerations

- **Enforcement Process – Stepped Approach**
 - Notice of Noncompliance (NON)
 - Notice of Violation (NOV)
 - Enforcement Conference (EC)
 - Citation
 - Referral to the Department of Justice
- **Potential Ramification of a Violation**
 - Dependent Upon Violation and Severity

21

Enforcement Action Data

- **Advanced Enforcement Actions**
Actions from 2011 to Date:
 - 32 – Notice of Violation / Enforcement Conference
 - 5 – Received Citations
 - 7 – Referrals to DOJ
 - Forfeitures Range from \$16,000 to \$200,000
 - 2 – Remain Open

22

Nonmetallic Mining Reclamation

- **Reclamation**
 - County Programs
 - Annexation and Local Programs
- **Types of Proposed Reclamation**
 - Large (1,000+ Acre) Open Sites
 - Contemporaneous Reclamation
- **Shoreland and Floodplain Zoning**
 - Setbacks
 - Flood evaluation

23

24-1